

Message Text

UNCLASSIFIED

PAGE 01 MONTER 00985 181957Z

46

ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 DHA-02 L-03 H-02 SNM-02

DEAE-00 JUSE-00 /021 W

----- 088269

P 181630Z DEC 75

FM AMCONSUL MONTERREY

TO SECSTATE WASHDC PRIORITY 2181

INFO AMEMBASSY MEXICO PRIORITY

UNCLAS MONTERREY 0985

E.O. 11652: N/A

TAGS: CASC, MX

SUBJ: CASE REVIEW OF ALL AMERICAN PRISONERS IN MEXICO (MCAULIFFE,
BRIAN LEE)

1. ALLEGATIONS OF MISTREATMENT: MCAULIFFE WAS ARRESTED JUNE 11, 1974 WHILE ENROUTE TO MEXICO D.F. TO VISIT HIS STEP-FATHER WHO WAS DIVORCED FROM HIS MOTHER. ACCORDING TO MCAULIFFE, HE WAS HITCHHIKING AND WAS PICKED UP BY A 44 YEAR OLD MEXICAN CITIZEN AT CIUDAD VICTORIA. AFTER DRIVING ABOUT 15 KILOMETERS, THEY WERE STOPPED BY POLICE. MCAULIFFE STATED HE WAS ASLEEP IN THE BACK SEAT WHILE AUTHORITIES SEARCHED AND QUESTIONED THE DRIVER. AFTER FINISHING WITH THE DRIVER, THE AUTHORITIES AWAKENED MCAULIFFE AND QUESTIONED HIM. BOTH MCAULIFFE AND HIS FRIEND WERE BOOKED FOR SUSPICIOUS BEHAVIOR, ALTHOUGH NOTHING WAS FOUND ON EITHER OF THEM OR IN, OR NEAR THE CAR. THEY WERE TAKEN TO THE LOCAL POLICE STATION WHERE THEY WERE ALLEGEDLY FORCED INTO SIGNING A CONFESSION THAT THEY HAD TRANSPORTED 800 KILOS OF MARIJUANA IN SEVERAL VISITS TO DIAZ ORDAZ OVER THE PAST YEAR. MCAULIFFE TOLD CONOFF THAT POLICE TOOK OFF HIS CLOTHES, WET HIM DOWN, AND PRODDED HIM WITH ELECTRIC CATTLE PROD. ALSO CLAIMED THAT HE WAS STRUCK PHYSICALLY. HE STATED THAT HIS MEXICAN FRIEND WAS ALSO MALTREATED IN SAME MANNER. MCAULIFFE TOLD CONOFF THAT HE HAD LAWYER RETAINED BY HIS HITCHHIKING FRIEND, BUT DID NOT KNOW LAWYER'S NAME. WHILE CONOFF WAS VISITING MCAULIFFE AT PENITENTIARY, LAWYER ENTERED ROOM AND IDENTIFIED HIMSELF AS LIC. ABELARDO GARCIA- TREVINO. THIS LAWYER STATED HE WAS NOT ATTORNEY OF

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 MONTER 00985 181957Z

RECORD FOR MCAULIFFE BECAUSE HE DID NOT WANT JUDGE TO KNOW THAT

MCAULIFFE AND THE MEXICAN FRIEND HAD KNOWN EACH OTHER FOR A LONG TIME, AND HE PLANNED TO PLEAD THAT THEY HAD KNOWN EACH OTHER FOR ONLY ONE-HALF HOUR. IN ADDITION, WE LEARNED THAT MEXICAN FRIEND IN HIS DECLARATION STATED HE HAD BEEN BEATEN DURING INTERROGATION, BUT THAT MCAULIFFE HAD BEEN SILENT ON ALLEGED MISTREATMENT. IN VIEW OF FALSE STORY REGARDING MEXICAN FRIEND, FACT THAT MCAULIFFE HAD NOT REPEAT NOT MENTIONED MISTREATMENT IN HIS DECLARATION, SHOWED NO BODILY SIGNS OF MALTREATMENT AT TIME OF CONOFF'S FIRST VISIT, AND CONOFF'S OWN BELIEF, BASED ON EXPERIENCE, THAT MCAULIFFE'S STORY NOT CREDIBLE, CONGEN DID NOT RAISE ALLEGED MISTREATMENT WITH MEXICAN AUTHORITIES. ON FEB. 17, 1975 MCAULIFFE RECEIVED SENTENCE OF FIVE YEARS AND NINE MONTHS FOR NARCOTICS VIOLATIONS OF MEXICAN LAW. HIS PRESENT ATTORNEY, WHOSE NAME HE WILL NOT GIVE TO CONOFF, HAS PLACED AN AMPARO IN MEXICO CITY.

2. ATTORNEY RELATIONS: MCAULIFFE REPORTED THAT A US LAWYER FROM LOS ANGELES TELEPHONED HIS MOTHER AND SAID HE COULD GET MCAULIFFE OUT FOR 10,000 (US). PLAN WAS TO PAY 3,500 (US) TO JUDGE IN MONTERREY AND KEEP REMAINDER FOR HIMSELF. CONOFF TOLD HIM THIS APPEARED TO BE AN ATTEMPT TO DEFRAUD HIS MOTHER; THAT IT WOULD BE FOOLISH TO PAY A JUDGE IN MONTERREY, WHEN HIS CASE WAS THEN IN NUEVO LAREDO.

3. VISITATIONS: SINCE JAN. 1, 1975 MCAULIFFE HAS BEEN VISITED ON A MONTHLY BASIS. LESS FREQUENTLY PREVIOUS TO THIS TIME. VISITS WILL CONTINUE ON A MONTHLY BASIS.

LAMBERT

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 18 DEC 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975MONTER00985
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750440-0660
From: MONTERREY
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751228/aaaaaymj.tel
Line Count: 89
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 20 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 JUN 2003 by ReddocGW>; APPROVED <04 FEB 2004 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CASE REVIEW OF ALL AMERICAN PRISONERS IN MEXICO (MCAULIFFE, BRIAN LEE)
TAGS: CASC, MX, (MCAULIFFE, BRIAN LEE)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006